

SELF-ASSESSMENT QUESTIONNAIRE FOR THE FATF SPECIAL RECOMMENDATIONS ON TERRORIST FINANCING

ADDITIONAL QUESTIONS FOR FATF MEMBERS¹

Responses for:

Name of jurisdiction:

United States of America ¹

Date of information:

March 1, 2002 ²

I.3 Has your jurisdiction fully implemented the following United Nations Security Council Resolutions relating to the prevention and suppression of the financing of terrorist acts?²

a. **S/RES/1267(1999)** (Please indicate 'yes', 'no' or 'partially', and cite the applicable law or executive act. If 'yes' or 'partially', please indicate whether or not your jurisdiction has frozen the assets of individuals and entities mentioned in the list associated with this Security Council Resolution, and specify the number of individuals or entities whose assets have been frozen under this Resolution, as well as the amounts frozen.)

Implemented?	Date	Applicable law(s) or executive act(s)	Have you frozen assets related to S/RES/1267(1999)?	Number of individuals or entities whose assets have been frozen and amounts frozen
Y ¹³	July 4, 1999; Sept. 23, 2001 ¹⁴	Executive Order ("EO") 13129 (implementing regulations: 31 CFR Part 545); Executive Order 13224 ¹⁵	Y ¹⁶	EO 13129 freezes the property and interests in property of the Taliban. The EO defines "the Taliban" to include its leaders, agencies and instrumentalities. The freeze applies whenever a U.S. person has reason to believe that an interest of the Taliban (whether or not a party is specifically designated) is involved in property or a transaction. After political changes in Afghanistan and resulting decisions of the UNSCR 1267 Sanctions Committee, as of March 1, 2002, US\$16.8 million remained frozen pursuant to EO 13129. (Prior to January 2002, US\$262.7 million was frozen pursuant to the EO.)

[References for I.2: Paragraph 3.2 of "Guidance on Submission of Reports" (see note 1); paragraph 3e, S/RES/1373 (2001)]

b. **S/RES/1269(1999)** (Please indicate 'yes', 'no' or 'partially', and cite the applicable law or executive act. If 'yes' or 'partially', please indicate to which international anti-terrorism conventions your jurisdiction is a party and specify for each whether the instrument has been signed but not yet ratified ('S'), ratified but not yet implemented ('RA') or implemented ('IM').)

¹ As a follow-up to the Hong Kong, China FATF Plenary meeting (30 January – 1 February 2002), this document is designed to obtain responses from FATF Members for the revised/added questions of the Self-Assessment questionnaire on Terrorist Financing. FATF Members are requested to provide responses for each field, even if already answered in the previous questionnaire. **Deadline for responses is 15 March 2002.**

² Please note that in assessing compliance with this Special Recommendation, responses to questions elsewhere in the main self-assessment questionnaire will be taken into account.

Implemented?

Y 18

Date

Applicable law(s) or executive act(s)

International anti-terrorism conventions and status

19		<p>The U.S. is party to ten of the twelve relevant international conventions and protocols relating to terrorism. Legislation has been enacted to fully implement the following conventions and protocols:</p> <p>49 United States Code ("USC") 46501 & 46506</p> <p>49 USC 46501 & 46502</p> <p>18 USC 31 & 32; 49 USC 46501</p> <p>18 USC 112, 878, 1116 & 1201(e)</p> <p>18 USC 1203</p> <p>18 USC 831</p> <p>18 USC 37</p> <p>18 USC 2280</p> <p>18 USC 2281</p> <p>18 USC 841(o) & (p), 842(l)-(o), 844(a)(1) & 845(c); 19 USC 1595(a); 18 USC 842(m)-(o)</p>	<p>Convention on Offences and Certain Other Acts Committed on Board Aircraft (1963) - IM</p> <p>Convention for the Suppression of the Unlawful Seizure of Aircraft (1970) - IM</p> <p>Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (1971) - IM</p> <p>Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons (1973) - IM</p> <p>International Convention Against the Taking of Hostages (1979) - IM</p> <p>Convention on the Physical Protection of Nuclear Material (1980) - IM</p> <p>Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988), Supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation - IM</p> <p>Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (1988) - IM</p> <p>Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (1988) - IM</p> <p>Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991) - IM</p> <p>The U.S. has signed and expects to ratify the two most recent conventions (International Convention for the Suppression of Terrorist Bombings and International Convention for the Suppression of the Financing of Terrorism) in the near future. Implementing legislation for both has been submitted to the Congress.</p> <p>The U.S. has implemented Resolution 1269 by working to become a party to all twelve of the conventions and protocols relating to terrorism, by fully implementing those agreements to which it is a party, and by establishing and implementing the measures discussed elsewhere in this submission.</p> <p>(N.B. Resolution 1269 is of a different character from Resolutions 1267, 1333, 1373 and 1390, as the latter were adopted by the Security Council under Chapter VII of the UN Charter.) 21</p>
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[References for 1.2: Paragraph 3.2 of "Guidance on Submission of Reports" (see note 1); paragraph 3e, S/RES/1373 (2001)]

c. **S/RES/1333(2000)** (Please indicate 'yes', 'no' or 'partially', and cite the applicable law or executive act. If 'yes' or 'partially', please indicate whether or not your jurisdiction has frozen the assets of individuals and entities mentioned in the list associated with this Security Council Resolution, and specify the number of individuals or entities whose assets have been frozen under this Resolution, as well as the amounts frozen.)

Implemented?	Date	Applicable law(s) or executive act(s)	Have you frozen assets related to S/RES/1333(2000)?	Number of individuals or entities whose assets have been frozen and amounts frozen
Y ²²	July 4, 1999; Sept. 23, 2001; Jan. 23, 1995; Aug. 20, 1998; April 24, 1996. ²³	EO 13129 (implementing regulations 31 CFR Part 545); EO 13224; EO 12947, as amended by EO 13099; Anti-Terrorism and Effective Death Penalty Act of 1996 ("AEDPA"). ²⁴	Y ²⁵	<p>S/RES/1333(2000) has expired. Please see our answer to I.3(e) relating to S/RES/1390(2002) as S/RES/1333(2000) was subsumed into S/RES/1390(2002).</p> <p>We took action related to S/RES/1333 prior to its expiration on January 19, 2002; the following information applies to that action:</p> <p>UNSCR 1333 required UN Member States, in part, to freeze funds and other financial assets of Usama bin Ladin and individuals and entities associated with him as designated by the UN Security Council Committee established by UNSCR 1267, including those in the Al-Qaida organization.</p> <p>The U.S. has 3 counterterrorism programs that freeze the assets of numerous terrorist individuals and entities, including bin Ladin, his Al-Qaida organization, and/or associated individuals and entities.</p> <p>Prior to UNSCR 1333's expiration on January 19, 2002, the total of assets frozen attributable to bin Laden, Al-Qaida, and other bin Laden-related entities totaled US\$1.1 million.</p> <p>As of January 19, 2002, the U.S. had designated 128 individuals and entities in connection with bin Laden, Al-Qaida, and other bin Laden-related entities in full compliance</p>

Implemented?	Date	Applicable law(s) or executive act(s)	Have you frozen assets related to S/RES/1333(2000)?	Number of individuals or entities whose assets have been frozen and amounts frozen with UNSCR 1333.
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[References for 1.2: Paragraph 3.2 of "Guidance on Submission of Reports" (see note 1); paragraph 3e, S/RES/1373 (2001)]

d. **S/RES/1373(2001)** (Please indicate 'yes', 'no' or 'partially', and cite the applicable law or executive act. If 'yes' or 'partially', please indicate whether or not your jurisdiction has frozen the assets of individuals and entities mentioned in the list associated with this Security Council Resolution, and specify the number of individuals or entities whose assets have been frozen under this Resolution, as well as the amounts frozen.)

Implemented?	Date	Applicable law(s) or executive act(s)	Have you frozen assets related to S/RES/1373(2001)?	Number of individuals or entities whose assets have been frozen and amounts frozen
Y 27	Jan. 24, 1995 and Aug. 21, 1998; Aug. 22, 1996; Oct. 8, 1997; and Sept. 23, 2001; Oct. 26, 2001. 28	EOs 12947, as amended by EO 13099 (implementing regulations: 31 CFR Part 595); AEDPA, §§ 302 and 303 (implementing regulations: 31 CFR Part 597); EO 13224; Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Public Law 107-56. 29	Y 30	<p>The U.S. has 3 counterterrorism programs (listed in previous column) that freeze the assets of numerous terrorist entities and individuals. The total of assets frozen under these 3 programs is US\$7.5 million as of March 1, 2002.</p> <p>As of March 1, 2002, the U.S. has frozen the property of 210 individuals and entities under EOs 12947, 13099, 13224, and AEDPA, § 302. This includes 128 individuals and entities in connection with bin Laden, Al-Qaida, and other bin Laden-related entities.</p> <p>31</p>

[References for 1.2: Paragraph 3.2 of "Guidance on Submission of Reports" (see note 1); paragraph 3e, S/RES/1373 (2001)]

e. **S/RES/1390(2002)** (Please indicate 'yes', 'no' or 'partially', and cite the applicable law or executive act. If 'yes' or 'partially', please indicate whether or not your jurisdiction has frozen the assets of individuals and entities mentioned in the list associated with this Security Council Resolution, and specify the number of individuals or entities whose assets have been frozen under this Resolution, as well as the amounts frozen.)

Implemented?	Date	Applicable law(s) or executive act(s)	Have you frozen assets related to S/RES/1390(2002)?	Number of individuals or entities whose assets have been frozen and amounts frozen
Y 32	July 4, 1999; Sept. 23, 2001; Jan. 25, 1995; Aug. 22, 1998; and April 24, 1996. 33	EO 13129 (implementing regulations: 31 CFR Part 545); EO 13224; EO 12947, as amended by EO 13099 (implementing regulations: 31 CFR Part 595); Anti-Terrorism and Effective Death Penalty Act of 1996 ("AEDPA"). 34	Y 35	Pursuant to U.S. counterterrorism programs and Taliban-related measures, the property and interests in property of the Taliban, Usama bin Laden, and the Al-Qaida organization, including associated entities and

<i>Implemented?</i>	<i>Date</i>	<i>Applicable law(s) or executive act(s)</i>	<i>Have you frozen assets related to S/RES/1390(2002)?</i>	<i>Number of individuals or entities whose assets have been frozen and amounts frozen</i>
				<p>individuals, have been frozen. As of March 1, 2002, the total of assets frozen attributable to bin Laden, his Al-Qaida organization, other bin Laden-related entities (equaling US\$1.1 million), and the Taliban (equaling US\$16.8 million), totaled US\$17.9 million.</p> <p>As of March 1, 2002, the US had frozen the property of 128 individuals and entities in connection with bin Laden, Al-Qaida, and other bin Laden-related entities, and had frozen the property of the Taliban.</p>